

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

*Denied as moot.  
Haren L. Lathrop  
9/27/12*

STEPHEN QUEEN  
256 PERSHING AVENUE  
PORTSMOUTH (SCIOTO COUNTY), OH 45662  
Plaintiff(s)

CIVIL ACTION NO. 1:12cv193

JUDGE TIMOTHY S. BLACK

vs.

THE COMMISSIONER OF SOCIAL SECURITY  
MICHAEL J. ASTRUE  
Defendants(s)

MOTION FOR REMAND

Defendant/Commissioner has a permanent duty to transmit the record of the Administrative Hearing below so that this Court may review it. Document 8 contains the transcript of hearing in the instant case number but for one Holly Griffin (Doc. 8-2 page number 36 - 66) with a different social security number, before a different Administrative Law Judge, in a different state. This matter had been previously brought to Defendant's attention by the undersigned, when it was originally transmitted.

Document number 9 indicates that there has been a substitution of Document Number 8-2 entered on June 18, 2012, attached to their notice of withdrawal. However no substitute transcript was recoverable by the undersigned on the Court's website and as a result, Plaintiff cannot compose a coherent statement of specific errors as he was not the attorney of record in the case before the Administrative Law Judge.

WHEREFORE, Plaintiff moves this Court for a remand or a rehearing so that a proper record may be developed, or reconstructed. See Hollon v. Commissioner, 447 F3d 477 (Sixth Cir. 2006) and sentence 6 of 42 USC § 405(g).